

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E STREET, FRESNO, CALIFORNIA 93706

PUBLIC HEARING

concerning

TIME SCHEDULE ORDER _____

**REQUIRING
COUNTY OF TULARE
OROSI SOLID WASTE LANDFILL
TULARE COUNTY**

TO COMPLY WITH REQUIRMENTS PRESCRIBED IN ORDER R5-2009-0107

Tulare County (hereafter referred to as Discharger) owns the inactive 40-acre Orosi Landfill, which contains one unlined Class III waste management unit (Unit) covering approximately nine acres. The facility is currently regulated by Waste Discharge Requirements Order R5-2009-0107 (WDRs) prescribing waste discharge requirements for the closure and postclosure maintenance of the Unit.

Construction Specification C.1 of the WDRs requires the Discharger to complete all closure construction activities by 9 October 2010 and submit a construction report of the completion of the cover system by 9 January 2011. The Discharger submitted a letter requesting a one-year extension of the closure completion date based on unexpected time delays resulting from the excavation and clean closure of a portion of the Unit. Additionally, the Discharger wants to avoid constructing a final cover system that utilizes a geosynthetic clay liner during the rainy season. Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff determined that it would be impracticable to complete final closure construction of the Unit by 9 October 2010 and that a one-year extension is appropriate.

The Time Schedule Order (Order) proposes to revise the following dates in the WDRs:

- By 10 October 2011, all closure construction activities shall be completed.
- By 10 January 2012, following the completion of construction of the cover system, a construction report shall be submitted for Executive Officer review and approval.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 22/23/24 September 2010
TIME: 8:00 a.m.
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

The designated parties for this hearing are as follows:

- County of Tulare

Designated parties, but not interested persons, will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation, and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **8 September 2010**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative Order was issued on 6 August 2010. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by noon on **8 September 2010**. Written materials submitted after noon on the above date will not be accepted and will not be incorporated into the administrative record absent a ruling by the Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on tentative orders should contact Scott Moore at (559) 445-5170. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board/decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the office of the Central Valley Water Board at 1685 E Street, Fresno, California, 93706, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The final meeting agenda will be available at http://www.waterboards.ca.gov/board_info/agendas/ at least ten days before the meeting. The

agenda will provide the dates the Central Valley Water Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed Order.

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

CLAY L. RODGERS, Assistant Executive Officer

6 August 2010